

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

Todd Myers

Riegelsville, PA 18077

2008 JUL -7 A 10 54

MUR # 6034

July 1, 2008

Thomasenia Duncan, Esq
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D C 20463

Re: Complaint against Tom Manion, Tom Manion for Congress and
Worth & Company, Inc.

Dear Ms. Duncan,

I write this letter to file a complaint with the Federal
Election Commission against Tom Manion; Tom Manion for Congress
and its treasurer, Susan Manion; and Worth & Company, Inc.

SUMMARY

The facts show that Worth & Company used its corporate resources
to bundle contributions for Manion and his campaign. The
company itself organized and hosted a March 25, 2008 fundraising
event at its offices. Event materials and emails show that a
Worth employee worked on the event. But there is no sign that
Manion paid the company for her time, or for any of the other
corporate facilities that were used. The Manion campaign's
April Quarterly Report shows no payment to the company, even
though the event occurred before the books closed for that
report.

Corporate contributions and corporate bundling are illegal under
federal law. This event seems to have been a concerted effort
by the company to bundle contributions for Manion, make secret
in-kind contributions to him, and buy influence with him. The
Commission should immediately investigate this matter.

29044244864

DISCUSSION

On March 25, 2008, a fundraising event for Manion for Congress was held at the offices of Worth & Company, Inc., in Pipersville, Pennsylvania. The invitations say, "Worth & Company cordially invites you to a champagne reception for Manion [for] Congress." The disclaimers say, "Paid for by Manion for Congress," although neither is in a printed box. However, the "hard copy" invitations seem to have been sent using a corporate postage meter: the indicia show the company's 18947 zip code, and not the campaign's 18901 zip code.¹

Donors were told to RSVP to Sara Alexander, who seems to have been a subordinate corporate employee. The invitations asked donors to RSVP to her company email address and company phone number. In a March 18 email sent from a corporate account, she told three prospective donors, "Stephen cordially invites you to a reception for Tom Manion that Worth & Company, Inc. is hosting. "Stephen" appears to be Stephen Worth, the company's president and CEO. See <http://www.worthandcompany.com/about/history.htm>. The Commission's donor database shows that Worth contributed \$2,300 to Manion on March 18, and \$2,200 on March 27.

The corporation must have collected and forwarded some contributions for the event: Ms. Alexander was the only contact person listed on the two invitations, the company's address was given, the Manion campaign's address was not given, and the event was held on company premises. And the event cannot have been limited to the company's restricted class. Ms. Alexander's March 18 email invited local elected officials to attend, and the invitations say that "other business leaders from the greater Bucks County area" would attend.

The public record shows no payment by the Manion campaign to the corporation for the use of its staff and facilities. Tellingly, Ms. Alexander was sending emails and collecting RSVPs for the event as early as March 18. Had the Manion campaign and the company complied with the law and made advance payment for her time, the report would have shown that payment.

¹ The materials referred to in this complaint are attached as exhibits to this complaint.

29044244865

29044244866

This is a classic case of corporate bundling. There is no question that Worth & Company facilitated the making of contributions. It said it was the host of the event, and invited the attendees. It sent the invitations in corporate envelopes. It used corporate staff to collect the RSVPs, and may have coerced them to do so. It used corporate postage and email to send invitations. There is every reason to think that the company handled and forwarded checks.

The record shows no payment from the Manion campaign for the use of corporate facilities. This means that the company must have made illegal, undisclosed corporate contributions. If the Manion campaign ever paid the company for the use of its staff, then it either did so untimely, or failed to disclose the payment as required by law. Even the disclaimer on the invitations failed to comply with the law. It was not contained in a printed box, and it falsely identified the payor, if the corporation indeed provided the postage to send them.

When the Manion campaign was first confronted with these facts by the press, it claimed that "a bill for \$5,613 submitted by the Worth company had since been paid." See Tom Infield, *Fundraiser for Candidate Faulted*, Philadelphia Inquirer, July 1, 2008, available at <http://www.philly.com/philly/news/local/22751794.html>. But the campaign "declined to say when it was paid," or whether it was been paid before the violations were publicized. This proves consciousness of guilt. Had the invoice been issued and paid before the event, as the law required, the campaign would have said so. Had the invoice been issued before the violations became public, it would have been in the campaign's interests to say that, as well. One can infer from these facts that the company never would have issued an invoice at all, if the violations had never been made public.

The Commission should immediately investigate these violations of the core provisions of federal campaign finance law. It should enjoin the campaign and the company from further violations, and seek the maximum fines permitted by law.

Sincerely,

Mark Whym
Todd Myers

SUBSCRIBED AND SWORN to before me this 1 day of July, 2008

[Signature]
Notary Public

My Commission Expires:

May 17, 2012

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
J Charyleen Strohm, Notary Public
Perkasie Borough, Bucks County
My commission expires May 17 2012

★ MANION

★ *Republican Candidate for United States Congress
Pennsylvania's 8th Congressional District*



**Tuesday, March 25, 2008
from
5:30 - 7:30 pm**

**Worth & Company, Inc
6263 Kellers Church Road
Pipersville, PA 18947**

Minimum donation \$250 per person

Please join Worth & Company, and other business leaders from the greater Bucks County area, to support Republican Candidate Tom Manion. This is an opportunity to get to know Tom personally and hear his position on important national issues.

Tom Manion comes to this Congressional race not as a career politician, but as an everyday citizen called to public service in extraordinary times. Tom grew up in the Philadelphia area, learned in our public school system, put himself through college, served his country in the Marines on active and reserve duty for 30 years, and worked successfully in the private sector for many years.

After losing his son, Travis, in the war in Iraq, Tom knew his next commitment would be to serve his community and his country by addressing the issues that affect us all as Americans. Some of these issues include:

- ***Eliminating wasteful spending in Congress***
- ***Providing economic freedom by keeping taxes low***
- ***Ending the war in Iraq while ensuring America's safety in the present and future***
- ***Reducing dependence on foreign oil***
- ***Protecting our environment for future generations***

Help to bring a real inspiration to Washington, someone who can indeed be considered an everyday citizen, yet who is beyond everyday in his commitment to his family, his community, and his country.





Fund-raiser for candidate faulted

**By Tom Infield
Inquirer Staff Writer
July 1, 2008**

On March 25, Worth & Co Inc hosted a political fund-raising event for Republican congressional candidate Tom Manion at its offices in Pipersville, Bucks County

A complaint letter mailed recently to the Federal Election Commission by a former mayor of Riegelsville alleged that the event amounted to an illegal campaign contribution to Manion, who is running against Democratic U S Rep Patrick Murphy in Philadelphia's northern suburbs

The FEC, however, has taken no action because the letter was improperly filed

Federal law bars corporations from making political contributions, in cash or services So it was up to Manion to reimburse any spending by the Worth company, a plumbing and heating contractor that also hosted a political event by GOP presidential candidate Sen John McCain yesterday

The invitation to the March event, which requested a minimum donation of \$250, said the event was paid for by Manion's campaign But a report that Manion was required to file with the FEC in April shows that, as of March 30, he had not paid anything to cover Worth's expenses

Jerry Morgan, Manion's campaign manager, said yesterday that a bill for \$5,613 submitted by the Worth company had since been paid But he declined to say when it was paid - before or after the recent complaint letter The next deadline for federal candidates to report their financial activities to the FEC is July 15

In a letter dated June 19, former Riegelsville Mayor Todd Myers, a Republican, called the March 25 fund-raising event to the attention of the FEC Morgan said the campaign had not seen the letter

Myers said that the March 25 invitation was sent out in the Worth company's name and that it was evident a Worth employee had worked on the planning.

29044244869

2904424487C

The FEC verified yesterday that it had received a letter of complaint against Manion. But it said the writer had put down an illegible signature and failed to include an address or phone number. It said it therefore did not consider the complaint valid.

Myers' letter was brought to the attention of The Inquirer by the Democratic Congressional Campaign Committee.

Myers, in an interview, confirmed he had written it. Asked if any Democratic organization had helped him write it, he replied "No comment."

"I decided to do something about political reform, you've got to play by the rules," he said. "That is the motivation behind the letter."

Two Worth company executives, in a telephone interview Friday, declined to discuss the March 25 event. Tom Zipfel, the company's general counsel, did not respond to a request for comment yesterday.

Morgan, while declining to say when the Worth bill was submitted or paid by the Manion campaign, said "I don't care when it was, we are in full compliance" with the law.

But federal election law says a corporation may use its employees to work on a fund-raising event only if it gets payment in advance.

If it provides catering or food service, it also must receive advance payment. The March 25 event, Myers said in his complaint, was listed as a champagne reception.